
**State Government Operations &
Accountability Committee**

HB 2696

Brief Description: Modifying election recount provisions.

Sponsors: Representatives Haigh, Nixon and Sump.

Brief Summary of Bill

- Requires that any mandatory recount conducted in any primary or election be performed manually.
- Changes the vote differential triggers for mandatory recounts such that the trigger for both statewide primaries and statewide elections is less than 1,000 votes and also less than one-fourth of one percent of the total votes cast for both candidates.
- Changes the vote differential triggers for mandatory recounts in all other primaries and elections such that the trigger is less than 150 votes and also less than one-fourth of one percent of the total number of votes cast for both candidates.

Hearing Date: 1/18/06

Staff: Kathryn Leathers (786-7114).

Background:

The basic structure for conducting elections is prescribed by law, including the procedures for conducting a mandatory recount in any primary or election or upon any question or issue. The law also prescribes when such mandatory recounts must be performed manually or by vote tally system.

A mandatory recount must be conducted in any primary or election when the official canvass of all the returns reveals that the vote differential between the number of votes cast for the candidate apparently nominated or elected and the number of votes cast for the closest apparently defeated candidate is less than 2,000 votes and is also less than one-half of one percent of the total number of votes cast for both candidates.

A mandatory recount must be conducted manually when:

- The vote differential in a statewide election is less than 1,000 votes and also less than one-fourth of one percent of the total votes cast for both candidates; and

- The vote differential in all other elections is less than 150 votes and also less than one-fourth of one percent of the total number of votes cast for both candidates.

Summary of Bill:

The mandatory election recount laws are changed to require that all mandatory recounts conducted in any primary or election, statewide or otherwise, be performed manually.

The vote differential trigger for mandatory recounts is modified to make the vote differential the same for both statewide primaries and statewide elections; that is, less than 1,000 votes and also less than one-fourth of one percent of the total votes cast for both candidates. The Secretary of State is required to, within three business days of the date that the returns are certified, direct the county canvassing boards to conduct the manual recount.

The vote differential trigger for mandatory recounts is also modified for all other primaries and elections, making the trigger for all other primaries and elections less than 150 votes and also less than one-fourth of one percent of the total number of votes cast for both candidates.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.